

REMARKS

This responds to the **September 26, 2008** Office Action.

In the Office Action, claims 111-114, 116-120, 127, 129, and 131-138 are noted as pending in the application, claims 111-114, 116-120, 127, 129, and 131-134 stand rejected, and no claims are allowed. Claims 121-126 and 135-138 have been withdrawn from consideration.

Drawings and Priority Documents

Applicants appreciate the indication that the drawings are accepted and that the requirements for the priority claim have been satisfied.

Rejections

Claims 111-114, 116-120, 127, 129, 131, and 133 are rejected under 35 U.S.C. 102(e) as being anticipated by Enright et al. (U.S. Patent No. 6,583,813). Claim 132 is rejected under 35 U.S.C. 103(a) as being unpatentable over Enright et al. in view of Kuno (U.S. Patent No. 6,567,121). Claim 134 is rejected under 35 U.S.C. 103(a) as being unpatentable over Enright et al. in view of Dangi et al. (U.S. Patent No. 5,231,492).

These rejections are respectfully traversed for the reasons set forth below.

Applicant's Disclosure

Applicant's disclosure has been discussed previously and that discussion will not be repeated here.

Cited Prior Art

Enright, US patent number 6,583,813, is cited for the proposition that it anticipates claim 111, as well as some of the dependent claims. The characterization of Enright is respectfully traversed. Enright is relied on in part for the proposition that, because it says it "virtually simultaneously delivers image and transaction data to a remote user," Enright therefore provides live video signals. According to the Office

Action, the image and transaction data "virtually simultaneously delivered" are "live video signals". Applicants respectfully submit that Enright, when considering the reference as a whole as required under the patent law, teaches only recording of live video data and virtually simultaneous delivery of different, stored image data and transaction data to a remote user without having to interrupt ATM 146 operation.

When considering a prior art reference, the reference must be taken as a whole. Taking parts of a reference out of context without consideration of other parts of the reference fails to consider the cited reference as a whole. In the present example of Enright, the discussion of the functionality of FIG. 10, which is the embodiment being discussed in the Office Action, has image and transaction data being recorded to and read from storage. No live image or transaction data is being viewed at a remote terminal.

The Office Action asserts that Enright discloses providing live video signals. In this regard, reference is made to 28:57-61, and contrasts that with 28:51-54. These passages are reproduced below.

As can be appreciated from the configuration in FIG. 10 an authorized user operating a user terminal can access image data by accessing the image server with a browser and recovering image data from memory. This configuration further facilitates analysis of image data by being able to correlate transaction activity and the operation of transaction function devices with image data.
(See, 28:51-57).

Further the capability of the exemplary embodiment of the invention to capture image and transaction data while virtually simultaneously delivering image and transaction data to a remote user, facilitates maintaining ATM 146 in operation.
(See, 28:57-61).

The focus in the Office Action is on the mention of capturing image and transaction data **while virtually simultaneously** delivering image and transaction data to a remote user. When read out of context, the interpretation is presented as being the delivery of live video signals. However, when read in the context of Enright, Applicant respectfully submits that the “virtually simultaneously” language bears no relation to the concept of live video signals.

More specifically, there are two interpretations being presented for the meaning of “virtually simultaneously” in the above context. These are:

- (i) Capture of image and transaction data whilst virtually simultaneously delivering *that same image and transaction data* to a remote user. This is the interpretation proposed in the Office Action.
- (ii) Capture of image and transaction data whilst virtually simultaneously delivering *different image and transaction data that is stored in memory* to a remote user. It is submitted that this is the meaning of “virtually simultaneously”.

Significantly, Enright specifically notes in the same sentence that the ability to achieve these functionalities virtually simultaneously “**facilitates maintaining ATM 146 in operation**”. This supports interpretation (ii) above, but it is meaningless under a live video interpretation as set forth in the Office Action.

Specifically, consider a situation where the capture of image and transaction data could not occur “virtually simultaneously” with the delivery of other image and transaction data that is stored in memory. It is submitted that in such a situation, during times when a remote user accesses stored image and transaction data, capture would be disabled. Disabled image capture creates a security risk (as the ATM would not be monitored during those times), and as such the ATM would be brought out of operation during those times to address such security concerns. However, by enabling a user to access stored image and transaction data without having to stop image capture (i.e. capturing image and transaction data whilst virtually simultaneously delivering other

image and transaction data that is stored in memory to a remote user), the ATM does not need to be brought out of operation (hence this “facilitates maintaining ATM 146 in operation”).

On the other hand, Applicants are unable to conceptualize an explanation as to why the scenario resulting under interpretation (i) “facilitates maintaining ATM 146 in operation”.

Therefore, Applicant respectfully submits it is clear that “virtually simultaneously” refers to playback of stored image and transaction data. As such, Enright does not disclose providing live video signals; only the ability to deliver stored video signals without ceasing capture. As required, Enright must be viewed as a whole, including interpreting Enright to give life and meaning to “**facilitates maintaining ATM 146 in operation**”. It is submitted that the only meaningful interpretation of Enright is that “virtually simultaneously” refers to playback of stored image and transaction data to help keep the ATM 146 in operation.

“Virtually simultaneously” must also be taken in the context of all of the text of the cited paragraph. For example, the extracts taken from (28:51-57) and (28:57-61) are immediately adjacent each other and contained in a common paragraph. The focus of that paragraph is clearly centered on *an authorized user operating a user terminal ... recovering image data from memory*. Nowhere in Enright is there any teaching or suggestion that image data could be recovered from anywhere other than from memory. This is unsurprising in the sense that the Enright technology is in no way concerned with live monitoring of video data. Rather, it is concerned with review of past occurrences in the event that those give rise for a need to scrutinize specific happenings.

Note also the following as to which, when Enright is taken as a whole, shows that Enright is directed to a **transaction recording** system [emphases added]:

1. “System and method for **capturing and searching image data associated with transactions**.” [See, Title.]

2. "FIG. 10 is a schematic view of an alternative form of the transaction record system of the present invention generally indicated 144." [See, 26:1-3.]
3. "Of course other alternative approaches to recovering and correlating transaction and image data may be used." [See, 28:5-7.]

Clearly Enright is directed to a transaction recording system, not to a live image viewing system.

The other references have been discussed previously.

Claims

Consider now the claims in the application. Claim 111 is amended herein not for substantive reasons but to clarify the terminology, for example that relating to client functions and that relating to live and stored video frames. As recited, the client computer terminal is configured for requesting, receiving and displaying to an operator video signals received over the computer communications network, including playback of stored video signals for allowing the operator to review past events, and live video signals for allowing the operator to view events live. Also as recited, the video server associated with the selected camera is configured for providing the requested live video signals to the computer communications network wherein the live video signals are addressed to the client computer terminal which issued the request, wherein providing the requested live video signals includes receiving video frames from the camera streamer and re-broadcasting those video frames independent of those frames being stored on the storage media. Support for the recitations regarding live video signals is found at page 45, lines 7-10. The cited text describes live-streaming functionalities of the camera manager, while the paragraphs following the cited text deal with stored video streaming functionalities. No new matter is added.

Claim 111 is an independent apparatus claim and recites in part:

"at least one client computer terminal configured for linking to the network, the client computer terminal being configured for requesting, receiving and displaying to an operator video signals received over the computer communications network, including playback of stored video signals for allowing the operator to review past events, and live video signals for allowing the operator to view events live; and

"wherein, in response to a request from the client computer terminal for a live video signal from a selected camera, the video server associated with the selected camera is configured for providing the requested live video signals to the computer communications network wherein the live video signals are addressed to the client computer terminal which issued the request, wherein providing the requested live video signals includes receiving video frames from the camera streamer and re-broadcasting those video frames independent of those frames being stored on storage media."

None of the applied references taken singly or in combination teach or suggest the claimed combination, the recited elements quoted above, or including playback of stored video signals for allowing the operator to review past events, and live video signals for allowing the operator to view events live, or wherein, in response to a request from the client computer terminal for a live video signal from a selected camera, the video server associated with the selected camera is configured for providing the requested live video signals to the computer communications network wherein the live video signals are addressed to the client computer terminal which issued the request, wherein providing the requested live video signals includes receiving video frames from the camera streamer and re-broadcasting those video frames independent of those frames being stored on storage media. As noted above, Enright displays to a remote user only stored image and transaction data, for example simultaneously with recording different data. Such process of being "virtually simultaneous" helps to maintain the ATM in operation when a remote user is reviewing the stored image and transaction data.

Claims 112-114, 116-120, 127, 129 and 131-134 are dependent directly or indirectly from independent claim 111 and are asserted as being patentable for the same reasons as discussed with respect to claim 111, for the combinations in the dependent claims as well as for the additional limitations recited in the dependent claims.

Reconsideration of the application and claims in view of the foregoing amendments and remarks is respectfully requested. Early notice of allowance thereof is earnestly solicited.

If the Examiner does not believe the foregoing amendments place the application in a condition for allowance, Applicants respectfully request the courtesy of a telephone interview to discuss the claims.

This response is being filed with a Petition for Revival of Unintentionally Abandoned Application.

Please charge any additional fees that may be due or credit any overpayments to our deposit Account No. 50-0655. If a petition is required in conjunction with this paper, please consider this a request for such a petition.

Respectfully submitted,

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